

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
PECOS DIVISION**

ATTORNEY GENERAL OF TEXAS *et al.*,

Plaintiffs,

v.

No. 4:24-cv-49-DC-DF

KRISTI NOEM, in her official capacity as  
Secretary of Homeland Security, *et al.*,<sup>1</sup>

Defendants.

**DEFENDANTS' SECOND UNOPPOSED MOTION FOR AN EXTENSION OF TIME  
TO ANSWER OR OTHERWISE RESPOND TO THE COMPLAINT**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, Defendants United States Department of Homeland Security, Kristi Noem in her official capacity as Secretary of Homeland Security, Jennifer B. Higgins, in her official capacity as Acting Director of U.S. Citizenship and Immigration Services, and U.S. Citizenship and Immigration Services (collectively, “Defendants”) respectfully request a 90-day extension of time to answer or otherwise respond to the Complaint, *see* ECF No. 1 (“Complaint”), from February 28, 2025 to May 29, 2025. As good cause for this request, which Plaintiffs do not oppose, Defendants offer the following:

1. On October 22, 2024, Plaintiff filed this action seeking to compel the Department to provide a response to Plaintiffs’ voter citizenship inquiries. *See* ECF No. 1.
2. After one extension, Defendants’ current deadline to answer or otherwise respond to the Complaint is February 28, 2025.

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<sup>1</sup> Pursuant to Federal Rule of Civil Procedure 25(d), Kristi Noem, Secretary of Homeland Security, is automatically substituted as a defendant in her official capacity for her predecessor, Alejandro Mayorkas. Likewise, Jennifer B. Higgins, Acting Director of U.S. Citizenship and Immigration Services, is automatically substituted as a defendant in her official capacity for her predecessor, Ur M. Jaddou.

3. Defendants now respectfully request 90 additional days to answer or otherwise respond to the Complaint.

4. In light of the recent change in Administration, Defendants require additional time to confer with new leadership within the Department of Homeland Security and the Department of Justice about this matter and to develop, and give full consideration to, an appropriate response to the allegations in Plaintiffs' complaint.

5. Even setting aside the recent change in Administration, counsel for Defendants would need a significant period of additional time to prepare Defendants' response due to the press of other significant litigation deadlines, some of which arose after Defendants' previous extension motion.

6. This is Defendants' second request for an extension of this deadline. No trial date or other deadlines have been set in this case, and the granting of this extension will not impact any other deadline.

7. Pursuant to Local Rule CV-7(G), undersigned counsel conferred with Plaintiffs' counsel, who do not oppose the relief requested in this motion.

8. For these reasons, Defendants respectfully request a 90-day extension of time to answer or otherwise respond to the Complaint.

Dated: February 11, 2025

Respectfully submitted,

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Civil Division

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/s/ Stephen M. Pezzi  
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